

Exhibit 14

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE, CORP.,

Plaintiff,

v.

AMAZON.COM, INC.; AMAZON.COM SERVICES LLC; AND AMAZON WEB SERVICES, INC.,

Defendants.

Case No. 7:24-cv-00030-ADA-DTG

JURY TRIAL DEMANDED

**PLAINTIFF'S SECOND SUPPLEMENTAL OBJECTIONS AND RESPONSES TO
DEFENDANTS' FIRST SET OF VENUE REQUESTS FOR INTERROGATORIES (NOS.
1-5)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff VirtaMove Corp. (“VirtaMove”) responds to Defendants Amazon.com Inc., Amazon.com Services LLC, and Amazon Web Services, Inc. (“Defendants” or “Amazon”) First Set of Venue Requests for Interrogatories on as follows:

VirtaMove’s responses are based on information known and available to it at the time of these responses. VirtaMove’s investigation in this matter is ongoing. Further, because all information and documents that are possibly within the scope of the Interrogatories may have yet to be located and/or identified, the development of VirtaMove’s contentions with respect to its claims and defenses is ongoing. VirtaMove reserves the right to assert additional objections to the Interrogatories and to modify and supplement its responses pursuant to Rule 26(e) of the Federal Rules of Civil Procedure.

VirtaMove’s responses to these Interrogatories are not to be construed as admissions that

SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORIES

REQUEST NO. 1:

Describe all facts that impact the application of the Fifth Circuit’s convenience factors (Dkt. No. 31 at 8-9) in this case and identify any evidence that proves such facts.

RESPONSE TO REQUEST NO. 1:

VirtaMove incorporates all of its general objections above. VirtaMove objects to this Interrogatory as premature and improperly seeking VirtaMove’s opposition to Amazon’s motion to transfer before the opposition due date. VirtaMove further objects to this Interrogatory to the extent it is a premature contention interrogatory that purports to require VirtaMove to identify all facts or evidence with respect to a particular topic or issue in advance of the deadline set forth in the Scheduling Order. VirtaMove further objects to this Interrogatory as compound and containing multiple subparts. VirtaMove further objects to this interrogatory to the extent it seeks information in the possession of third parties and not VirtaMove. VirtaMove further objects to the extent this interrogatory seeks information protected from disclosure by the attorney-client privilege, work product doctrine, common interest doctrine and/or any other applicable privilege. Additionally, this request for “all facts that impact the application of the Fifth Circuit’s convenience transfer factors” is overbroad, vague, calls for legal conclusions on the applicability of transfer law, and improperly compound because there are 8 different transfer factors.

Subject to and without waiving the foregoing objections, VirtaMove responds as follows:

As to the location of likely witnesses, VirtaMove contends that the following witnesses may have information relevant at trial. Former employes either worked at VirtaMove or its predecessor.

Name	Last Known Location	Topic

Bill Cullen	Massachusetts	Former CTO; knowledge of past technology
Donna Grare	New York	Former VP of product development; knowledge of past product development, relevant to pre-suit marking dispute
Giovanni Boschi	Massachusetts	Former CTO; knowledge of past technical information of product, relevant to pre-suit marking dispute
Mohammed Ahmed-Mushin	Ontario, Canada	Former Software Developer; knowledge of past software operation of product, relevant to pre-suit marking dispute
Robert Wang	Ontario, Canada	Former Software Developer; knowledge of past software operation of product, relevant to pre-suit marking dispute
Mark Woodward	Ontario, Canada	Former VP of Product Engineering; knowledge of past engineering of product, relevant to pre-suit marking dispute
Donn Rochette	Iowa	Named inventor
Paul O'Leary	Ontario, Canada	Named inventor
Dean Huffman	Ontario, Canada	Named inventor
Craig MacDonald	Washington	Former Senior Developer, knowledge of past development of product, related to pre-suit marking dispute
Greg O'Connor	East Coast	Former President, general knowledge of company history.
Chuck Colford	Ontario, Canada	Former CEO, general knowledge of company history.
Ron Warburton	Ontario, Canada	Former Member of Board, general knowledge of company history.
David Roth	Texas	Former CEO, general knowledge of company history.
Nigel Stokes	Ontario, Canada	VirtaMove CEO, general knowledge of information related to VirtaMove
Cedric Burgins	Ontario, Canada	VirtaMove Director of Technology, potential technical related to the operation of VirtaMove product, relevant to pre-suit marking dispute
Emanuel Sousa	Ontario, Canada	VirtaMove Senior Technical Specialist, potential technical related to the operation of VirtaMove product, relevant to pre-suit marking dispute
Susan Cameron	Ontario, Canada	VirtaMove manager, document custodian, topics related to business records
Steve Antonie	Ontario, Canada	VirtaMove IT Manager, topics related to business records.

As to the location of evidence, VirtaMove's evidence and code are available is at its headquarters in Ontario, Canada. VirtaMove's code is access controlled and available to select employees in Ontario, Canada. Ontario, Canada is closer to the WDTX than to the NDCA and only one time zone away, as opposed to three time zones.

VirtaMove served interrogatory requests and requests for production, to which Amazon has provided objections but not substantive responses. Amazon's lack of responses weighs against transfer and is evidence that Amazon cannot meet its burden of proof on all topics therein. VirtaMove contends that Amazon's evidence that allegedly supports transfer is incomplete, irrelevant for trial, and/or unreliable. Additional facts affecting the transfer analysis should be provided by Amazon in response to these interrogatory requests, as well as in response to VirtaMove's requests for production.

There is a co-pending case *VirtaMove Corp. v. Google LLC*, No. 7:24-cv-00033 in the same Court before Judge Counts, with pre-trial matters referred to Judge Gilliland. There are two co-pending cases in the EDDTX against IBM and Hewlett Packard Enterprise.

The WDTX has recently issued opinions finding that its patent cases are timely and on track for its scheduled trials. To the extent relevant under Fifth Circuit law (not that it is), VirtaMove cares about a fast time to trial and offers a competing product.

Amazon offers the accused products to customers nationwide.

VirtaMove further incorporates by reference its Response to Interrogatory Requests #2–4 below.

FIRST SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 5 (9/13/2024):

Under the Docket Control Order of Judge Gilstrap in the *IBM* case, VirtaMove has made a copy of its source code available for inspection in Dallas, Texas, where it can be more easily moved

depositions		
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Dated: September 13, 2024

Respectfully submitted,

/s/ Reza Mirzaie

Reza Mirzaie (CA SBN 246953)

rmirzaie@raklaw.com

Marc A. Fenster (CA SBN 181067)

mfenster@raklaw.com

Neil A. Rubin (CA SBN 250761)

nrubin@raklaw.com

Amy E. Hayden (CA SBN 287026)

ahayden@raklaw.com

Christian W. Conkle (CA SBN 306374)

cconkle@raklaw.com

Jonathan Ma (CA SBN 312773)

jma@raklaw.com

Jacob R. Buczko (CA SBN 269408)

jbuczko@raklaw.com

James Milkey (CA SBN 281283)

jmilkey@raklaw.com

James S. Tsuei (CA SBN 285530)

jtsuei@raklaw.com

Daniel B. Kolko (CA SBN 341680)

dkolko@raklaw.com

RUSS AUGUST & KABAT

12424 Wilshire Boulevard, 12th Floor

Los Angeles, CA 90025

Telephone: (310) 826-7474

Qi (Peter) Tong (TX SBN 24119042)

ptong@raklaw.com

RUSS AUGUST & KABAT

4925 Greenville Ave, Suite 200

Dallas, TX 75206

Attorneys for Plaintiff VirtaMove, Corp.

CERTIFICATE OF SERVICE

The undersigned certifies that on September 13, 2024 all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via electronic mail at Amazon-VirtaMove@knobbe.com and hestes@lcalawfirm.com.

/s/ Reza Mirzaie
Reza Mirzaie